

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
PHILADELPHIA DIVISION

Sherice Sargent, et al.,

Plaintiffs,

v.

Case No. 2:22-cv-01509-CFK

The School District of Philadelphia, et al.,

Defendants.

**[PROPOSED] ORDER GRANTING
MOTION FOR PRELIMINARY INJUNCTION**

The plaintiffs' motion for preliminary injunction is GRANTED.

The Court concludes that the plaintiffs are likely to succeed on the merits of their claim that the defendants' change in admissions policies to the city's magnet schools violates the Equal Protection Clause, Title VI, and article I, section 29 of the Pennsylvania Constitution. The Court further concludes that the plaintiffs will suffer irreparable harm absent a preliminary injunction. The Court also finds that the balance of equities a preliminary injunction, and the public interest supports a preliminary injunction as well.

It is therefore ORDERED that:

1. The defendants are ENJOINED from implementing the changes that the School District of Philadelphia adopted in 2021 governing the admission of students to the city's criteria-based or magnet schools, and the defendants are ORDERED to return to the admissions policies that existed before the defendants changed those policies in 2021.
2. The defendants are ENJOINED from using race to determine the admission of students to the city's criteria-based or magnet schools.

3. The defendants are ENJOINED from changing the admissions policies to the city's criteria-based or magnet schools if those changes are made for the purpose of altering the racial makeup of those schools.

4. Because the defendants will not suffer any financial loss on account of this preliminary injunction, there is no need for the plaintiffs to post security under Rule 65(c) of the federal rules of civil procedure.

Dated: _____, 2022

CHAD F. KENNEY
UNITED STATES DISTRICT JUDGE